

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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DARYAL TAYLOR,

Plaintiffs,

VS.

ROBERT BECKETT, *et al.*,

Defendants.

Case No. 2:13-cv-2199-APG-VCF

ORDER AND REPORT & RECOMMENDATION

This matter involves Daryal Taylor's civil rights action against his former employer and supervisors at the Nye County Sheriff's Department. Before the court is Defendant Nye County's Motion for Leave (#42), which is joined by Defendant Robert Beckett (#43, #44) and Defendant David Boruchowitz (#45). Daryal Taylor filed an untimely opposition (#49); and Defendant Nye County replied (#47, #50). For the reasons stated below, Nye Country's Motion for Leave is granted in part and denied in part.

Nye County's Motion for Leave requests an order permitting discovery in accordance with a state statute. The parties agree that, in this case, discovery should proceed without redacting the name of a third party. The parties dispute, however, whether the state statute applies. The Federal Rules of Civil Procedure govern the procedure for conducting discovery in federal court. *See FED. R. CIV. P. 81; Hanna v. Plumer*, 380 U.S. 460 (1965). Therefore, the court finds good cause to authorize disclosure of the third party's name—which has already been publically disclosed numerous times—and permit discovery to proceed in accordance with the Federal Rules of Civil Procedure and Local Rules of Civil Practice.

1 During the hearing, the court also noted that two named Defendants (*i.e.*, California Organization
2 of Police and Sheriff Associations Incorporated and Cops Legal, LLC) have not been served within Rule
3 4(m)'s 120-day requirement. Taylor stipulated that both Defendants should be dismissed from this action.
4 Therefore, the court recommends dismissing California Organization of Police and Sheriff Associations
5 Incorporated and Cops Legal, LLC.

6 ACCORDINGLY, and for good cause shown,

7 IT IS ORDERED that Defendant Nye County's Motion for Leave (#42) is GRANTED in part and
8 DENIED in part.

9 IT IS FURTHER ORDERED that discovery may PROCEED in accordance with the Federal Rules
10 of Civil Procedure and Local Rules of Civil Practice.

11 IT IS RECOMMENDED that California Organization of Police and Sheriff Associations
12 Incorporated and Cops Legal, LLC be DISMISSED.

13 DATED this 3rd day of February, 2015.

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16 CAM FERENBACH
17 UNITED STATES MAGISTRATE JUDGE
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